Department of Ind + Lab

OFFICE of the Bd of Agr

STATION Madras

No. 1865

B. 7663

Dated 25 6-30

To whom sent		Date	Initial
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	Signed		
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Pages in the file	Despatched	27 JUN 30	
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(SUBJECT.)

Scheme (Bellary) — Kudligi Taluk
Madras village Property of E.C.L. Kavitharai
proposal Drafted

C F. 32.

In reply, please quote number, date and short title.

Revenue DEPARTMENT.

Received ..... *Registered* B264

From (Name) E. Bennett Esq., I.C.S.,

(Designation) Collector

Post Box ....., (Station) Bellary

Telegraphic Address .....

To The Secretary to the Commissioner,

Land Revenue & Settlement,

M a d r a s.

Ref.C. *No.*3376/28, *dated* 6-6-1930 192

Sir,

Enclosures .....

One Statement

Spare Copies .....

Escheat -(Bellary district) - Kudligi taluk - Kalvi village - property of Karibasavva - Orders solicit

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One Ganigera Karibasavva died on 26-10-1927 leavi no heirs. She possessed land and a house in Kalvi village, Kudligi taluk. About 8 years prior to her death she sold these to her paramour Gurusangappa for a sum of 100 rupees. The land was registered in his name by the Settlement Staff and it continued to be in his occupation till his death. It is now in the possession of his son Dundyappa.

2. The land was self acquired and there is therefore no case of escheat. But the house was inherited by the deceased.

3. A notice inviting objections was published in the District Gazette dated 17-7-1929. The period of 6 months expired by 16-1-1930. The Tahsildar reports that no objections have been received by him. The question of declaring the house escheat has to be decided. It is now in the possession of Dundyappa who has a sale deed executed in favour of his father by the deceased. The sale deed does not state the purpose for which the property was sold. The deceased being a Hindu widow had

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..o right to alienate the property except for a legal necessity. Sundyappa, the present occupier is not willing to surrender the house peacefully and a suit will have to be instituted to obtain possession of it. He may contest that the house was sold to his father for some legal necessity such as funeral expenses. The occupier is in a position to pay the costs of the suit if they are decreed against him.

4. I hardly think the value is worth a suit and request the Board's orders in the matter.

5. A copy of the application is enclosed.

P.S. 6/6.

For Collector.

CR. 616

3

R. F. XVIII. 7.

Application for declaring immoveable property Escheat in Malvi village, Kudligi taluk, Bellary District.

1. Taluk.	Kudligi taluk.
2. Village, Estate, or Township.	Malvi.
3. Description of property.	One roofed house.
4. Area in acres.	
5. Assessment or quit rent.	-
6. Estimated yearly rent value.	Rs. 12/-
7. Estimated market value.	About 100 rupees.
8. Date of the death of the last owner.	26-10-1927.
9. Date of publication of notice inviting claims.	17-7-1929.
10. Names of claimants & their relationship to the deceased.	Dundyappa claims the house in virtue of the sale deed executed in favour of his father by the deceased.
11. Particulars of objections raised.	
12. Collector's recommendation.	The value of the house is not worth a a suit.
	Bellary Dated 6-6- 1930. CR. For Collector.

P. S.

B. P. XXII-A-19—39,600- 22-4-30 (6)

Subject.—

FOR MEMBER

Escheat - (Bellary) - Kudligi taluk - Halsi village - Property of the late Kanibasavva - Do. Proposal - Dropped.

READ AGAIN B. P. No. _____, dated _____ 193

" " " _____, " _____ 193

READ ALSO :—

Register No. _____, From the B. 2643/30., No. 6 (pt ef), dated _____ 193

" " _____, " " _____, " _____, " _____ 193.

" " _____, " " _____, " _____, " _____ 193.

RESOLUTION. Mrs No. 1865, dated 25. 6. 193 0

In the circumstances reported, the Board agrees with the Collector that the proposal to declare the property left by the late Ganigera Kanibasavva, escheat may be dropped.

Mrs 23.6.30

24.6.30

24-6-30

M1
S
AS(LR)
Hon. M. Secy.

Escheat - (Belgaum) - Kundgol taluk - Malvi village - Property of the deceased Kanbasavva

B. 2643/30. (P1 Cf.)

AS(LR)

The Collector's letter at pp 1-2 Cf. is for perusal.

2/. The Collector has submitted the case for the orders of the Board with reference to paras 3 and 5 of G.S.O. 197. The property is worth about Rs 100. The onus of proving that the sale by a Hindu widow to her paramour, of her inherited property was for a legal necessity is on the purchaser. The Collector in para 3 of the letter. Collector's letter however seems to implies that the legal necessity, such as funeral expenses of Kanbasavva's husband can be proved. Considering the small value of the property, the Collector is of opinion that it is not worth while to file a suit to obtain possession of the property, though the present occupier is in a position to pay the costs of the suit, if they are decreed against him. In the above circumstances, it is for orders whether the Collector's proposal may be approved.

The matter may be disposed of as proposed by the collector

S 19.6.30
W 21/6
R 20.6.30 M 17.6.30 18.6.30

As (LR)

As (LR)

Draft enclosures below.

23.6.30

24.6.30

24.6.30

25.6.30